REMARKS

Claims 1-11 and 21-29 are currently pending in the subject application and are presently under consideration. Claims 12-20 where previously withdrawn, such claims have been cancelled herein. Applicant's representative intends to pursue the previously withdrawn claims in a continuation application. Claims 1 and 2 have been amended and claims 21-29 have been added. A listing of all claims can be found at pages 2-4. The comments presented herein distinguish the claims over the rejections as presented in the Final Office Action.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Rejection of Claims 1-7 Under 35 U.S.C. §102(b)

Claims 1-7 stand rejected under 35 U.S.C. §102(b) as being anticipated by Callaghan *et al.* (U.S. 6,058,304). It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Callaghan *et al.* does not anticipate each and every limitation of the subject claims.

> For a prior art reference to anticipate, 35 U.S.C. §102 requires that "each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *In re Robertson*, 169 F.3d 743, 745, 49 USPQ2d 1949, 1950 (Fed. Cir. 1999) (*quoting Verdegaal Bros., Inc. v. Union Oil Co.*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)).

The subject application relates to a portable electronic device that can be coupled to multiple additional devices. The portable electronic device also contains an Application Specific Integrated Circuit (ASIC) that can communicate with the coupled devices. ASIC technology allows the integration of complex functions such as microprocessors and peripherals, coupled with memory, on the same chip.

Independent claim 1, from which claims 2-7 (and 21-24) depend, recites *a portable electronic device comprising* ***an image capture device*** *coupled to the portable electronic device,* ***a laser scanner*** *coupled to the portable electronic device,* ***an application specific integrated circuit (ASIC) comprising circuitry for communicating with the image capture device and the laser scanner, and a common bus that provides a hardware path from the ASIC to a processor.***

Dependent claim 2 recites *a data blender adapted to receive data from the image capture device and the laser scanner and distribute the data to multiple destinations based on a type or content of the data*. Further, new claim 25, from which claims 26-29 depend, recites a portable data collection device, comprising *an application specific integrated circuit (ASIC) that accepts data from at least one source coupled to the portable data collection device and a data blender that distributes the data from the at least one source to a first destination based on the type of data, the content or the data, or combinations thereof.*

The portable electronic device contains the ASIC circuitry for communicating with each of the different devices (*e.g.,* the imager and the laser scanner) and, therefore, all of the communications can occur *inside* the portable electronic device without the need for separate communication channels. (*See e.g.* pg. 4, ln. 30 to pg. 5, ln. 3). In conventional systems, an imager, for example, was interfaced serially through a communication channel separate from scanner and the decoding for the imager was performed outside of the system and the data had to be brought into the system. (*See e.g.,* pg. 4, lns. 27-30.) The ASIC allows the integration of complex functions, such as microprocessors and peripherals, coupled with memory on the same chip. (*See e.g.,* pg. 4, lns. 9-13). The data blender receives the data from multiple sources, such as the imager and/or laser scanner. Since the data from the imager and/or laser scanner is routed through the same hardware, and possibly the same driver, the data blender determines what each piece of data is (*e.g.,* type, content) and from where it is from. (*See e.g.,* pg. 5, lns. 12-17.) The data blender can further determine where to route the data next. (*See e.g., id.*, ln. 18.) Callaghan *et al.* does not anticipate such novel features.

Callaghan *et al.* relates to a data entry system. Discussed in Callaghan *et al.* is a scanner head that includes a laser light source. (*See e.g.,* col. 9 ln. 66 – col. 10, ln. 4). A processor decodes a changing level of reflected illumination to generate a numerical value. (*See e.g.,* col. 10, lns. 4-9.) However, this is not an imager and a laser scanner coupled to a portable electronic device as claimed. The processor, laser light source are all included on a single unit. Further, Callaghan *et al.* does not disclose a common bus that provides a hardware path from the ASIC to a processor, as claimed. Further, Callaghan *et al.* illustrates in FIG. 8 that a processor is connected to different data sources (*e.g.,* touch screen, touch screen interface, display interface, optical interface). However, Callaghan *et al.* does not teach or even suggest distributing data to a

destination based on the type of data, the content of the data, or combinations thereof, as recited in claim 2 and new claim 25.

Thus, based on at least the above, Callaghan *et al.* does not anticipate each and every limitation of independent claims 1 and 25 (and the claims that depend there from). Accordingly, this rejection should be withdrawn and the subject claims allowed.

II. Rejection of Claims 8 and 9 Under 35 U.S.C. §103(a)

Claims 8 and 9 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Callaghan, *et al.* in view of Kunert, *et al.* (US 6,109,528). It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Callaghan *et al.* and Kunert *et al.*, alone or in combination, do not teach or suggest each and every limitation of the subject claims.

Claims 8 and 9 dependent from claim 1. As discussed above, Callaghan *et al.* fails to teach or suggest all limitations of claim 1. Further, Kunert *et al.* does not make up for the deficiencies of Callaghan *et al.* Kunert *et al.* relates to a portable data collection terminal that contains a single image capture device in a laser scanning assembly. However, Kunert *et al*, even if combined with Callaghan *et al,* does not teach or suggest *a portable electronic device comprising an image capture device coupled to the portable electronic device, a laser scanner coupled to the portable electronic device, an application specific integrated circuit (ASIC) comprising circuitry for communicating with the image capture device and the laser scanner, and a common bus that provides a hardware path from the ASIC to a processor.*

Based on at least the above, neither Callaghan *et al.* nor Kunert *et al.,* alone or in combination, teach or suggest all limitations of independent claim 1 and, therefore, cannot teach or suggest all limitations of the claims that depend there from. Accordingly, withdrawal of this rejection is respectfully requested.

III. Rejection of Claims 10 and 11 Under 35 U.S.C. §103(a)

Claims 10 and 11 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Callaghan *et al.* in view of Meier *et al.* (U.S .6,561,428). It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Callaghan *et al.* and Meier *et al.*, alone or in combination, do not teach or suggest each and every limitation of the subject claims.

Claims 10 and 11 depend from independent claim 1 and, as discussed above, Callaghan *et al.* does not teach or suggest all limitations of independent claim 1. Further, Meier *et al.* does not make up for the above noted deficiencies of Callaghan *et al.* with respect to independent claim 1. Meier *et al.* relates to a method to improve image capture as it relates to an indicia bearing substrate orientation with respect to the image capture device. However, Meier *et al.* does not teach or suggest a portable electronic device comprising an image capture device coupled to the portable electronic device, a laser scanner coupled to the portable electronic device, an application specific integrated circuit (ASIC) comprising circuitry for communicating with the image capture device and the laser scanner, and a common bus that provides a hardware path from the ASIC to a processor, as recited in independent claim 1.

Based on at least the above, neither of the cited references, alone or in combination, teach or suggest all limitations recited in independent claim 1 and, accordingly, do not teach or suggest all limitations recited in claims 10 and 11. Therefore, this rejection should be withdrawn and the subject claims allowed.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited. In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [SYMBP102US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

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